



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**DIVISION OF FIRE PREVENTION**  
**THIRD FLOOR, 500 JAMES ROBERTSON PARKWAY**  
**NASHVILLE, TENNESSEE 37243**  
Phone (615) 741-2981-Fax (615) 741-1583

September 25, 2003

Dear Fire Chief:

As you may have heard, a Fire Department Recognition Act has been passed by the legislature and signed by the governor. The law takes effect July 1, 2003.

In an effort to bring both professionalism and safety to the job, the legislature decided that all fire departments should be registered with the State Fire Marshal's Office. A new fire department must also have its territory approved by the local government.

It is important to distinguish truly independent fire departments from stations or districts in a larger county, rural or city department. For example, a county-wide department with 12 stations would register once, not twelve (12) times.

Recently, volunteer departments have clashed over fighting fires in disputed service areas and some departments have raised money in areas another department serves. The new law should help prevent these unfortunate occurrences that put lives in danger and tarnish the image of the fire service.

Another important provision applies to fire chiefs or fire marshals. To be recognized, each department must also have a chief officer or fire marshal who holds an assistant to the commissioner certificate. The requirements for assistants are provided in Tenn. Code Ann. § 68-102-108 and the assistants' duties are defined in Tenn Code Ann § 68-102-111.

According to Tenn. Code Ann. § 68-102-108(c) a fire chief or fire marshal who is or becomes an assistant to the commissioner has thirty (30) days to notify the Division of Fire Prevention (Division) of their status. Upon vacating the position, the recipient has ten (10) days to return the certificate to the commissioner.

A letter identifying the person who will serve as the department's assistant to the commissioner must be submitted along with the departmental registration form. For incorporated cities or towns, the mayor or city manager must establish the person's claim of office. For departments protecting territory within the bounds of a county but outside any municipality, the county executive, county commission or county mayor must provide similar documentation.

A copy of the law is enclosed. Specific provisions of the Act include:

- A public or private entity that wishes to operate a fire department in the State of Tennessee must apply to obtain recognition from the Department of Commerce and Insurance, Division of Fire Prevention.
- A processing fee of \$50 shall accompany an application for recognition.
- A certificate of recognition shall be valid for 3 years.
- No municipality, county, political subdivision, organization, agency or entity shall operate a fire department or receive or solicit money from any source unless it has obtained a certificate of recognition as provided by the provisions of this law.
- No new fire department may be established or recognized without the approval of the local elected governing body.
- A violation of the provisions of this law is punishable as a Class C misdemeanor.

Also enclosed is a copy of the registration form. The registration form must be signed by the highest ranking official of the fire department and then notarized.

**Please note the instructions for # 3. Even though this pertains to new fire department (those formed after July 1, 2003), we are requesting that existing fire departments also supply this information for our records.**

Tenn. Code Ann. Title 68, Chapter 102, Part 3 requires that the Division classify each department as career, volunteer or combination as determined by the Tennessee Fire Incident Reporting System (TFIRS). To do this, the Division needs additional information about your department. Therefore, please complete the enclosed fire department survey. Please submit any updated or new information by entering the changes at the corresponding blank line on the survey. If there are no revisions, please write "no changes" on the top of page one. Please return all requested documents, along with your application fee to:

State of Tennessee  
Department of Commerce and Insurance  
Division of Fire Prevention  
Third Floor, 500 James Robertson Parkway  
Nashville, TN 37243

A law that encourages improved fire services will make every Tennessean safer. Thanks for your cooperation with this matter.

Sincerely,

Emmett H. Turner  
Assistant Commissioner